

Appl. No. 10/598,855
Amendment dated September 9, 2008
Response to Office Action mailed August 21, 2008

REMARKS

This application has been carefully reviewed in light of the Office Action mailed August 21, 2008. By way of amendment: claims 4-10 are canceled; claim 16 is amended to overcome the 35 U.S.C. 112 rejection; claims 1, 11 and 17 were previously amended in the preliminary amendment dated September 13, 2006; and claims 18-21 are new. Claims 1-3, 11-15 and 17 stand allowed. Accordingly, claims 1-3 and 11-21 remain pending in the application. Further review and reconsideration is requested in light of the foregoing amendments and following remarks.

Allowable Subject Matter

Claims 1-3, 11-15 and 17 stand allowed. Applicant thanks the Examiner for the allowance of these claims.

Claim Rejections - 35 U.S.C. § 112

Pursuant to the Office Action, claims 4-10 and 16 stand rejected under 35 U.S.C. §112, 2nd paragraph, but would be allowable if rewritten to overcome the rejections.

With regard to claims 4-10, the Examiner points out that these claims are drawn to the embodiment of Figs. 2-4, and claim 1 is drawn to the embodiment of Figs. 5-6, and thus if the deformable extensions are extensions of the lining then they cannot be hingedly connected to the support wing as defined in claim 1. To overcome the rejection, Applicant has canceled claims 4-10. New claims 18-21 have been added directed to a safety seat including the limitations of claim 1 as well as additional limitations for the lining support structure and interaction of the two upon impact.

With regard to claim 16, this claim has been amended to overcome the 35 U.S.C. §112 rejection by making definite the position of the energy absorbent pad.

Appl. No. 10/598,855
Amendment dated September 9, 2008
Response to Office Action mailed August 21, 2008

Conclusion

In view of the foregoing amendments and remarks, it is submitted that all of the pending claims are now in condition for allowance. Reconsideration of the rejections and reexamination are requested.

This response is being timely filed and does not include more claims than paid for previously. If there are any other fees due in connection with this response, the Director is hereby authorized to charge such fees or any underpayments to Deposit Account No. 01-0265. Any overpayments should likewise be credited to Deposit Account No. 01-0265.

Respectfully submitted,

/Jeffrey S. Bernard/

Jeffrey S. Bernard
Registration No. 50,020

ADAMS INTELLECTUAL PROPERTY LAW, P.A.
201 South College Street
Suite 2350 Charlotte Plaza
Charlotte, North Carolina 28244
Tel. (704) 375-9249
Fax: (704) 375-0729